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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 JULIAN VARGAS,	)	NO. EDCV 08-00822 VBF (SS)
	)	
12 Plaintiff,	)	<b>ORDER ADOPTING FINDINGS,</b>
	)	
13 v.	)	<b>CONCLUSIONS AND RECOMMENDATIONS</b>
	)	
14 D. WABAKKEN,	)	<b>OF UNITED STATES MAGISTRATE JUDGE</b>
15 Correctional Lieutenant,	)	
	)	
16 Defendant.	)	

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18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition,  
19 all of the records and files herein, and the Magistrate Judge's Report  
20 and Recommendation. The time for filing Objections to the Report and  
21 Recommendation has passed and no Objections have been received.  
22 Accordingly, the Court accepts and adopts the findings, conclusions and  
23 recommendations of the Magistrate Judge.

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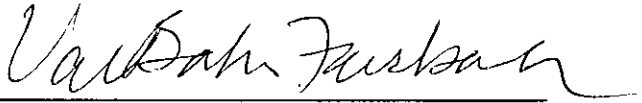
1 Accordingly, IT IS ORDERED THAT:

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3 1. The Motion to Dismiss is GRANTED and Judgment shall be entered  
4 dismissing this action with prejudice.

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6 2. The Clerk shall serve copies of this Order and the Judgment  
7 herein by United States mail on Plaintiff and on counsel for Defendant.

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9 DATED:

10 3-10-09

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12 VALERIE BAKER FAIRBANK  
13 UNITED STATES DISTRICT JUDGE  
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